

HOUSE _____ **AMENDMENT NO.** _____**Offered By**

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 0591, Section 137.115, Page 18, Line 173, by inserting the following after all of said Line:

"141.210. Sections 141.210 to 141.810 and sections 141.980 to 141.1015 shall be known by the short title of "Land Tax Collection Law".

141.220. The following words, terms and definitions, when used in sections 141.210 to 141.810 and sections 141.980 to 141.1015, shall have the meanings ascribed to them in this section, except where the text clearly indicates a different meaning:

(1) "Ancillary parcel" shall mean a parcel of real estate acquired by a land bank agency other than:

(a) Pursuant to a deemed sale under subsection 3 of section 141.560;

(b) By deed from a land trust under subsection 1 of section 141.984; or

(c) Pursuant to a sale under subdivision (2) of subsection 2 of section 141.550;

(2) "Appraiser" shall mean a state licensed or certified appraiser licensed or certified pursuant to chapter 339 who is not an employee of the collector or collection authority;

[(2)] (3) "Board" or "board of commissioners" shall mean the board of commissioners of a land bank agency;

(4) "Collector" shall mean the collector of the revenue in any county affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015;

[(3)] (5) "County" shall mean any county [of the first class] in this state having a charter form of government, any county of the first class [not having a charter form of government] with a population of at least one hundred fifty thousand but less than one hundred sixty thousand and any county of the first class [not having a charter form of government] with a population of at least eighty-two thousand but less than eighty-five thousand;

[(4)] (6) "Court" shall mean the circuit court of any county affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015;

[(5)] (7) "Delinquent land tax attorney" shall mean a licensed attorney-at-law, employed or designated by the collector as hereinafter provided;

[(6)] (8) "Land bank agency", shall mean an agency created under section 141.980;

(9) "Land taxes" shall mean taxes on real property or real estate and shall include the taxes both on land and the improvements thereon;

[(7)] (10) "Land trustees" and "land trust" shall mean the land trustees and land trust as the same are created by and described in section 141.700;

[(8)] (11) "Municipality" shall include any incorporated city or town, or a part thereof, located in

whole or in part within a county of class one or located in whole or in part within a county with a charter form of government, which municipality now has or which may hereafter contain a population of two thousand five hundred inhabitants or more, according to the last preceding federal decennial census;

[(9)] (12) "Person" shall mean any individual, male or female, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver or trustee appointed by any state or federal court, trustee otherwise created, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

[(10)] (13) "Political subdivision" shall mean any county, city, town, village, school district, library district, or any other public subdivision or public corporation having the power to tax;

(14) "Reserve period taxes" shall mean land taxes assessed against any parcel of real estate sold or otherwise disposed of by a land bank agency for the first three tax years following such sale or disposition;

(15) "School district", "road district", "water district", "sewer district", "levee district", "drainage district", "special benefit district", "special assessment district", or "park district" shall include those located within a county as such county is described in [subdivision (3) of] this section;

[(11)] (16) "Sheriff" and "circuit clerk" shall mean the sheriff and circuit clerk, respectively, of any county affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015;

[(12)] (17) "Tax bill" as used in sections 141.210 to 141.810 and sections 141.980 to 141.1015 shall represent real estate taxes and the lien thereof, whether general or special, levied and assessed by any taxing authority;

[(13)] (18) "Tax district" shall mean the state of Missouri and any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, located in any municipality or county as herein described;

[(14)] (19) "Tax lien" shall mean the lien of any tax bill as defined in [subdivision (12) of] this section;

[(15)] (20) "Taxing authority" shall include any governmental, managing, administering or other lawful authority, now or hereafter empowered by law to issue tax bills, the state of Missouri or any county, municipality, school district, road district, water district, sewer district, levee district, drainage district, special benefit district, special assessment district, or park district, affected by sections 141.210 to 141.810 and sections 141.980 to 141.1015.

141.250. 1. The respective liens of the tax bills for general taxes of the state of Missouri, the county, any municipality and any school district, for the same tax year, shall be equal and first liens upon the real estate described in the respective tax bills thereof; provided, however, that the liens of such tax bills for the latest year for which tax bills are unpaid shall take priority over the liens of tax bills levied and assessed for less recent years, and the lien of such tax bills shall rate in priority in the order of the years for which they are delinquent, the lien of the tax bill longest delinquent being junior in priority to the lien of the tax bill for the next most recent tax year.

2. All tax bills for other than general taxes shall constitute liens junior to the liens for general taxes upon the real estate described therein; provided, however, that a tax bill for other than general taxes, of the

1 more recent issue shall likewise be senior to any such tax bill of less recent date.

2 3. The proceeds derived from the sale of any lands encumbered with a tax lien or liens, or held by
3 the land trustees, or acquired by a land bank agency pursuant to a deemed sale under subsection 3 of
4 section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale
5 under subdivision (2) of subsection 2 of section 141.550 shall be distributed to the owners of such liens in
6 the order of the seniority of the liens, or their respective interests as shown by the records of the land trust
7 or the land bank agency. Those holding liens of equal rank shall share in direct proportion to the amounts
8 of their respective liens.

9 141.290. 1. The collector shall compile lists of all state, county, school, and other tax bills
10 collectible by him which are delinquent according to his records and he shall combine such lists with the
11 list filed by any taxing authority or tax bill owner.

12 2. The collector shall assign a serial number to each parcel of real estate in each list and if suit has
13 been filed in the circuit court of the county on any delinquent tax bill included in any list, the collector
14 shall give the court docket number of such suit and some appropriate designation of the place where such
15 suit is pending, and such pending suit so listed in any petition filed pursuant to the provisions of sections
16 141.210 to 141.810 and sections 141.980 to 141.1015 shall, without further procedure or court order, be
17 deemed to be consolidated with the suit brought under sections 141.210 to 141.810 and sections 141.980 to
18 141.1015, and such pending suit shall thereupon be abated.

19 3. The collector shall deliver such combined lists to the delinquent land tax attorney from time to
20 time but not later than April the first of each year.

21 4. The delinquent land tax attorney shall incorporate such lists in petitions in the form prescribed
22 in section 141.410, and shall file such petitions with the circuit clerk not later than June first of each year.

23 141.300. 1. The collector shall receipt for the aggregate amount of such delinquent tax bills
24 appearing on the list or lists filed with him under the provisions of section 141.290, which receipt shall be
25 held by the owner or holder of the tax bills or by the treasurer or other corresponding financial officer of
26 the taxing authority so filing such list with the collector.

27 2. The collector shall, on or before the fifth day of each month, file with the owner or holder of any
28 tax bill or with the treasurer or other corresponding financial officer of any taxing authority, a detailed
29 statement, verified by affidavit, of all taxes collected by him during the preceding month which appear on
30 the list or lists received by him, and shall, on or before the fifteenth day of the month, pay the same, less his
31 commissions and costs payable to the county, to the tax bill owner or holder or to the treasurer or other
32 corresponding financial officer of any taxing authority; provided, however, that the collector shall be given
33 credit for the full amount of any tax bill which is bid in by the land trustees and where title to the real estate
34 described in such tax bill is taken by the land trust, or which is bid in by a land bank agency and where title
35 to the real estate described in such tax bill is taken by such land bank agency pursuant to a deemed sale
36 under subsection 3 of section 141.560, or which is included in the bid of a land bank agency and where title
37 to the real estate described in such tax bill is taken by such land bank agency pursuant to a sale under
38 subdivision (2) of subsection 2 of section 141.550.

39 141.320. 1. The collector shall at his option appoint a delinquent land tax attorney at a

1 compensation of ten thousand dollars per year, or in counties having a county counselor, the collector shall
2 at his option designate the county counselor and such of his assistants as shall appear necessary to act as
3 the delinquent land tax attorney.

4 2. A delinquent land tax attorney who is not the county counselor, with the approval of the
5 collector, may appoint one or more assistant delinquent land tax attorneys at salaries of not less than two
6 hundred dollars and not more than four hundred dollars per month, and such clerical employees as may be
7 necessary, at salaries to be fixed by the collector at not less than three hundred dollars and not more than
8 four hundred dollars per month; and the appointed delinquent tax attorney may incur such reasonable
9 expenses as are necessary for the performance of his duties.

10 3. The delinquent land tax attorney and his assistants shall perform legal services for the collector
11 and shall act as attorney for him in the prosecution of all suits brought for the collection of land taxes; but
12 they shall not perform legal services for the land trust or any land bank agency.

13 4. Salaries and expenses of a delinquent land tax attorney who is not also the county counselor, his
14 assistants and his employees shall be paid monthly out of the treasury of the county from the same funds as
15 employees of the collector whenever the funds provided for by sections 141.150, 141.270, and 141.620 are
16 not sufficient for such purpose.

17 5. The compensation herein provided shall be the total compensation for a delinquent land tax
18 attorney who is not also a county counselor, his assistants and employees, and when the compensation
19 received by him or owing to him by the collector exceeds ten thousand dollars in any one calendar year by
20 virtue of the sums charged and collected pursuant to the provisions of section 141.150, the surplus shall be
21 credited and applied by the collector to the expense of the delinquent land tax attorney and to the
22 compensation of his assistants and employees, and any sum then remaining shall be paid into the county
23 treasury on or before the first day of March of each year and credited to the general revenue fund of the
24 county.

25 6. A delinquent land tax attorney who is not also the county counselor shall make a return
26 quarterly to the county commission of such county of all compensation received by him, and of all amounts
27 owing to him by the collector, and of all salaries and expenses of any assistants and employees, stating the
28 same in detail, and verifying such amounts by his affidavit.

29 141.410. 1. A suit for the foreclosure of the tax liens herein provided for shall be instituted by
30 filing in the appropriate office of the circuit clerk a petition, which petition shall contain a caption, a copy
31 of the list so furnished to the delinquent land tax attorney by the collector, and a prayer. Such petition
32 without further allegation shall be deemed to be sufficient.

33 2. The caption shall be in the following form:

34 In the Circuit Court of County, Missouri,

35 In the Matter of

36 Foreclosure of Liens for Delinquent Land Taxes

37 By Action in Rem.

38 Collector of Revenue of County, Missouri,
39

Parcels of Land Encumbered with Delinquent Tax Liens

Defendants.

3. The petition shall conclude with a prayer that all tax liens upon such real estate be foreclosed; that the court determine the amounts and priorities of all tax bills, together with interest, penalties, costs, and attorney's fees; that the court order such real estate to be sold by the sheriff at public sale as provided by sections 141.210 to 141.810 and sections 141.980 to 141.1015 and that thereafter a report of such sale be made by the sheriff to the court for further proceedings under sections 141.210 to 141.810 and sections 141.980 to 141.1015.

4. The delinquent land tax attorney within ten days after the filing of any such petition, shall forward by United States registered mail to each person or taxing authority having filed a list of delinquent tax bills with the collector as provided by sections 141.210 to 141.810 and sections 141.980 to 141.1015 a notice of the time and place of the filing of such petition and of the newspaper in which the notice of publication has been or will be published.

5. The petition when so filed shall have the same force and effect with respect to each parcel of real estate therein described, as a separate suit instituted to foreclose the tax lien or liens against any one of said parcels of real estate.

141.480. 1. Upon the trial of the cause upon the question of foreclosure, the tax bill, whether general or special, issued by any taxing authority shall be prima facie proof that the tax described in the tax bill has been validly assessed at the time indicated by the tax bill and that the tax is unpaid. Absent any answer the court shall take the allegations of the petition as confessed. Any person alleging any jurisdictional defect or invalidity in the tax bill or in the sale thereof must particularly specify in his answer the defect or basis of invalidity, and must, upon trial, affirmatively establish such defense.

2. Prior to formal hearing, the court may conduct an informal hearing for the purpose of clarifying issues, and shall attempt to reach an agreement with the parties upon a stipulated statement of facts. The court shall hear the evidence offered by the collector or relator as the case may be, and by all answering parties, and shall determine the amount of each and every tax bill proved by the collector or any answering party, together with the amount of interest, penalties, attorney's fees and costs accruing upon each tax bill and the date from which interest began to accrue upon each tax bill and the rate thereof. The court shall hear evidence and determine every issue of law and of fact necessary to a complete adjudication of all tax liens asserted by any and every pleading, and may also hear evidence and determine any other issue of law or fact affecting any other right, title, or interest in or to, or lien upon, such real estate, sought to be enforced by any party to the proceeding against any other party to the proceeding who has been served by process or publication as authorized by law, or who has voluntarily appeared, and shall determine the order and priority of the liens and of any other rights or interest put in issue by the pleadings.

3. After the court has first determined the validity of the tax liens of all tax bills affecting parcels of real estate described in the petition, the priorities of the respective tax bills and the amounts due thereon,

1 including principal, interest, penalties, attorney's fees, and costs, the court shall thereupon enter judgment
2 of foreclosure of such liens and fix the time and place of the foreclosure sale. The petition shall be
3 dismissed as to any parcel of real estate redeemed prior to the time fixed for the sheriff's foreclosure sale as
4 provided in sections 141.210 to 141.810 and sections 141.980 to 141.1015. If the parcel of real estate
5 auctioned off at sheriff's foreclosure sale is sold for a sum sufficient to fully pay the principal amount of all
6 tax bills included in the judgment, together with interest, penalties, attorney's fees and costs, and for no
7 more, and such sale is confirmed by the court, then all other proceedings as to such parcels of real estate
8 shall be finally dismissed as to all parties and interests other than tax bill owners or holders; provided,
9 however, that any parties seeking relief other than an interest in or lien upon the real estate may continue
10 with said suit to a final adjudication of such other issues; provided, further, an appeal may be had as to any
11 claim attacking the validity of the tax bill or bills or the priorities as to payment of proceeds of foreclosure
12 sale. If the parcel of real estate auctioned off at sheriff's foreclosure sale is sold for a sum greater than the
13 total amount necessary to pay the principal amount of all tax bills included in the judgment, together with
14 interest, penalties, attorney's fees and costs, and such sale is confirmed by the court, and no appeal is taken
15 by any person claiming any right, title or interest in or to or lien upon said parcel of real estate or by any
16 person or taxing authority owning or holding or claiming any right, title or interest in or to any tax bills
17 within the time fixed by law for the filing of notice of appeal, the court shall thereupon order the sheriff to
18 make distribution to the owners or holders of the respective tax bills included in the judgment of the
19 amounts found to be due and in the order of priorities. Thereafter all proceedings in the suit shall be
20 ordered by the court to be dismissed as to such persons or taxing authorities owning, holding or claiming
21 any right, title, or interest in any such tax bill or bills so paid, and the case shall proceed as to any parties
22 claiming any right, title, or interest in or lien upon the parcel of real estate affected by such tax bill or bills
23 as to their respective claims to such surplus funds then remaining in the hands of the sheriff.

24 4. Whenever an answer is filed to the petition, as herein provided, a severance of the action as to
25 all parcels of real estate affected by such answer shall be granted, and the issues raised by the petition and
26 such answer shall be tried separate and apart from the other issues in the suit, but the granting of such
27 severance shall not delay the trial or other disposition of any other issue in the case. A separate appeal may
28 be taken from any action of the court affecting any right, title, or interest in or to, or lien upon, such real
29 estate, other than issues of law and fact affecting the amount or validity of the lien of tax bills, but the
30 proceeding to foreclose the lien of any tax bills shall not be stayed by such appeal. The trial shall be
31 conducted by the court without the aid of a jury and the suit shall be in equity. This action shall take
32 precedence over and shall be triable before any other action in equity affecting the title to such real estate,
33 upon motion of any interested party.

34 141.530. 1. Except as otherwise provided in section 141.520, during such waiting period and at
35 any time prior to the time of foreclosure sale by the sheriff, any interested party may redeem any parcel of
36 real estate as provided by this chapter. During such waiting period and at any time prior to the time of
37 foreclosure sale by the sheriff, the collector may, at the option of the party entitled to redeem, enter into a
38 written redemption contract with any such party interested in any parcel of real estate, providing for
39 payment in installments, monthly or bimonthly, of the delinquent tax bills, including interest, penalties,

1 attorney's fees and costs charged against such parcel of real estate, provided, however, that in no instance
2 shall such installments exceed twelve in number or extend more than twenty-four months next after any
3 agreement for such installment payments shall have been entered into; provided further, that upon good
4 cause being shown by the owner of any parcel of real estate occupied as a homestead, or in the case of
5 improved real estate with an assessed valuation of not more than three thousand five hundred dollars,
6 owned by an individual, the income from such property being a major factor in the total income of such
7 individual, or by anyone on his behalf, the court may, in its discretion, fix the time and terms of payment in
8 such contract to permit all of such installments to be paid within not longer than forty-eight months after
9 any order or agreement as to installment payments shall have been made.

10 2. So long as such installments be paid according to the terms of the contract, the said six months
11 waiting period shall be extended, but if any installment be not paid when due, the extension of said waiting
12 period shall be ended without notice, and the real estate shall forthwith be advertised for sale or included in
13 the next notice of sheriff's foreclosure sale.

14 [3. No redemption contracts may be used under this section for residential property which has been
15 vacant for at least six months in any municipality contained wholly or partially within a county with a
16 population of over six hundred thousand and less than nine hundred thousand.]

17 [141.530. 1. Except as otherwise
18 provided in section 141.520, during such waiting period and at any time prior to the time of
19 foreclosure sale by the sheriff, any interested party may redeem any parcel of real estate as
20 provided by this chapter. During such waiting period and at any time prior to the time of
21 foreclosure sale by the sheriff, the collector may, at the option of the party entitled to
22 redeem, enter into a written redemption contract with any such party interested in any
23 parcel of real estate, other than a residential property which has been vacant for at least six
24 months, providing for payment in installments, monthly or bimonthly, of the delinquent tax
25 bills, including interest, penalties, attorney's fees and costs charged against such parcel of
26 real estate, provided, however, that in no instance shall such installments exceed twelve in
27 number or extend more than twenty-four months next after any agreement for such
28 installment payments have been entered into; provided further, that upon good cause being
29 shown by the owner of any parcel of real estate occupied as a homestead, or in the case of
30 improved real estate with an assessed valuation of not more than three thousand five
31 hundred dollars, owned by an individual, the income from such property being a major
32 factor in the total income of such individual, or by anyone on the individual's behalf, the
33 court may, in its discretion, fix the time and terms of payment in such contract to permit all
34 of such installments to be paid within not longer than forty-eight months after any order or
35 agreement as to installment payments being made.

36 2. So long as such installments are
37 paid according to the terms of the contract, the six-month waiting period shall be extended,
38 but if any installment is not paid when due, the extension of such waiting period shall be
39 ended without notice, and the real estate shall forthwith be advertised for sale or included in

1 the next notice of sheriff's foreclosure sale.]

2 141.540. 1. In any county at a certain front door of whose courthouse sales of real estate are
3 customarily made by the sheriff under execution, the sheriff shall advertise for sale and sell the respective
4 parcels of real estate ordered sold by him or her pursuant to any judgment of foreclosure by any court
5 pursuant to sections 141.210 to 141.810 at any of such courthouses, but the sale of such parcels of real
6 estate shall be held at the same front door as sales of real estate are customarily made by the sheriff under
7 execution.

8 2. Such advertisements may include more than one parcel of real estate, and shall be in
9 substantially the following form:

10 NOTICE OF SHERIFF'S SALE
11 UNDER JUDGMENT OF
12 FORECLOSURE OF LIENS FOR
13 DELINQUENT LAND TAXES

14 No.

15 In the Circuit Court of
16 County, Missouri.

17 In the Matter of Foreclosure of Liens
18 for Delinquent Land Taxes

19 Collector of Revenue of
20 County, Missouri,

21 Plaintiff,

22 vs.

23 Parcels of Land encumbered with
24 Delinquent Tax Liens,
25 Defendants.

26 WHEREAS, judgment has been rendered against parcels of real estate for taxes, interest, penalties,
27 attorney's fees and costs with the serial numbers of each parcel of real estate, the description thereof, the
28 name of the person appearing in the petition in the suit, and the total amount of the judgment against each
29 such parcel for taxes, interest, penalties, attorney's fees and costs, all as set out in said judgment and
30 described in each case, respectively, as follows: (Here set out the respective serial numbers, descriptions,
31 names and total amounts of each judgment, next above referred to.) and,

32 WHEREAS, such judgment orders such real estate sold by the undersigned sheriff, to satisfy the
33 total amount of such judgment, including interest, penalties, attorney's fees and costs,

34 NOW, THEREFORE,

35 Public Notice is hereby given that I, Sheriff of County, Missouri, will
36 sell such real estate, parcel by parcel, at public auction, to the highest bidder, for cash, between the hours
37 of nine o'clock A.M. and five o'clock P.M., at the front door of the County Courthouse in .
38, Missouri, on, the day of, 20.., and continuing from day to day thereafter, to
39 satisfy the judgment as to each respective parcel of real estate sold. If no acceptable bids are received as to

any parcel of real estate, said parcel shall be sold to the Land Trust of (insert name of County),
Missouri or Land Bank of the City of (insert name of municipality), Missouri.

Any bid received shall be subject to confirmation by the court.

Sheriff of County, Missouri.

Delinquent Land Tax Attorney

Address:

First Publication, 20. . .

3. Such advertisement shall be published four times, once a week, upon the same day of each week during successive weeks prior to the date of such sale, in a daily newspaper of general circulation regularly published in the county, qualified according to law for the publication of public notices and advertisements.

4. In addition to the provisions herein for notice and advertisement of sale, the county collector shall enter upon the property subject to foreclosure of these tax liens and post a written informational notice in any conspicuous location thereon. This notice shall describe the property and advise that it is the subject of delinquent land tax collection proceedings before the circuit court brought pursuant to sections 141.210 to 141.810 and that it may be sold for the payment of delinquent taxes at a sale to be held at ten o'clock a.m., date and place, and shall also contain a file number and the address and phone number of the collector. If the collector chooses to post such notices as authorized by this subsection, such posting must be made not later than the fourteenth day prior to the date of the sale.

5. The collector shall, concurrently with the beginning of the publication of sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections 141.210 to 141.810, to the persons named in the petition as being the last known persons in whose names tax bills affecting the respective parcels of real estate described in said petition were last billed or charged on the books of the collector, or the last known owner of record, if different, and to the addresses of said persons upon said records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the notice is returned to the collector by the postal authorities as undeliverable for reasons other than the refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the collector shall make a search of the records maintained by the county, including those kept by the recorder of deeds, to discern the name and address of any person who, from such records, appears as a successor to the person to whom the original notice was addressed, and to cause another notice to be mailed to such person. The collector shall prepare and file with the circuit clerk prior to confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of real estate affected of any such notices of sale that are undeliverable because of an addressee's refusal to receive and receipt for the

1 same, or of any notice otherwise nondeliverable by mail, or in the event that any name or address does not
2 appear on the records of the collector, then of that fact. The affidavit in addition to the recitals set forth
3 above shall also state reason for the nondelivery of such notice.

4 6. The collector may, at his or her option, concurrently with the beginning of the publication of
5 sale, cause to be prepared and sent by restricted, registered or certified mail with postage prepaid, a brief
6 notice of the date, location, and time of sale of property in foreclosure of tax liens pursuant to sections
7 141.210 to 141.810, to the mortgagee or security holder, if known, of the respective parcels of real estate
8 described in said petition, and to the addressee of such mortgagee or security holder according to the
9 records of the collector. The terms "restricted", "registered" or "certified mail" as used in this section
10 mean mail which carries on the face thereof in a conspicuous place, where it will not be obliterated, the
11 endorsement, "DELIVER TO ADDRESSEE ONLY", and which also requires a return receipt or a
12 statement by the postal authorities that the addressee refused to receive and receipt for such mail. If the
13 notice is returned to the collector by the postal authorities as undeliverable for reasons other than the
14 refusal by the addressee to receive and receipt for the notice as shown by the return receipt, then the
15 collector shall make a search of the records maintained by the county, including those kept by the recorder
16 of deeds, to discern the name and address of any security holder who, from such records, appears as a
17 successor to the security holder to whom the original notice was addressed, and to cause another notice to
18 be mailed to such security holder. The collector shall prepare and file with the circuit clerk prior to
19 confirmation hearings an affidavit reciting to the court any name, address and serial number of the tract of
20 real estate affected by any such notices of sale that are undeliverable because of an addressee's refusal to
21 receive and receipt for the same, or of any notice otherwise nondeliverable by mail, and stating the reason
22 for the nondelivery of such notice.

23 141.550. 1. The sale shall be conducted, the sheriff's return thereof made, and the sheriff's deed
24 pursuant to the sale executed, all as provided in the case of sales of real estate taken under execution except
25 as otherwise provided in sections 141.210 to 141.810, and provided that such sale need not occur during
26 the term of court or while the court is in session.

27 2. The following provisions shall apply to any sale pursuant to this section of property located
28 within any municipality contained wholly or partially within a county with a population of over six
29 hundred thousand and less than nine hundred thousand:

30 (1) The sale shall be held on the day for which it is advertised, between the hours of nine o'clock
31 a.m. and five o'clock p.m. and continued day to day thereafter to satisfy the judgment as to each respective
32 parcel of real estate sold;

33 (2) The sale shall be conducted publicly, by auction, for ready money. The highest bidder shall be
34 the purchaser unless the highest bid is less than the full amount of all tax bills included in the judgment,
35 interest, penalties, attorney's fees and costs then due thereon. No person shall be eligible to bid at the time
36 of the sale unless such person has, no later than ten days before the sale date, demonstrated to the
37 satisfaction of the official charged by law with conducting the sale that he or she is not the owner of any
38 parcel of real estate in the county which is affected by a tax bill which has been delinquent for more than
39 six months and is not the owner of any parcel of real property with two or more violations of the

1 municipality's building or housing codes. A prospective bidder may make such a demonstration by
2 presenting statements from the appropriate collection and code enforcement officials of the municipality.
3 Notwithstanding this provision, any taxing authority or land bank agency shall be eligible to bid at any sale
4 conducted under this section without making such a demonstration.

5 3. Such sale shall convey the whole interest of every person having or claiming any right, title or
6 interest in or lien upon such real estate, whether such person has answered or not, subject to rights-of-way
7 thereon of public utilities upon which tax has been otherwise paid, and subject to the lien thereon, if any, of
8 the United States of America.

9 4. The collector shall advance the sums necessary to pay for the publication of all advertisements
10 required by sections 141.210 to 141.810 and shall be allowed credit therefor in his or her accounts with the
11 county. The collector shall give credit in such accounts for all such advances recovered by him or her.
12 Such expenses of publication shall be apportioned pro rata among and taxed as costs against the respective
13 parcels of real estate described in the judgment; provided, however, that none of the costs herein
14 enumerated, including the costs of publication, shall constitute any lien upon the real estate after such sale.

15 141.560. 1. If, when the sheriff offers the respective parcels of real estate for sale, there be no
16 bidders for any parcel, or there be insufficient time or opportunity to sell all of the parcels of real estate so
17 advertised, the sheriff shall adjourn such sale from day to day at the same place and commencing at the
18 same hour as when first offered and shall announce that such real estate will be offered or reoffered for sale
19 at such time and place.

20 2. With respect to any parcel of real estate not located wholly within a municipality that is an
21 appointing authority under section 141.981, in the event no bid equal to the full amount of all tax bills
22 included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at
23 such sale after any parcel of real estate has been offered for sale on three different days, which need not be
24 successive, the land trustees shall be deemed to have bid the full amount of all tax bills included in the
25 judgment, interest, penalties, attorney's fees and costs then due, and if no other bid be then received by the
26 sheriff in excess of the bid of the trustees, and the sheriff shall so announce at the sale, then the bid of the
27 trustees shall be announced as accepted. The sheriff shall report any such bid or bids so made by the land
28 trustees in the same way as his report of other bids is made. The land trust shall pay any penalties,
29 attorney's fees or costs included in the judgment of foreclosure of such parcel of real estate, when such
30 parcel is sold or otherwise disposed of by the land trust. Upon confirmation by the court of such bid at
31 such sale by such land trustees, the collector shall mark the tax bills so bid by the land trustees as "canceled
32 by sale to the land trust" and shall take credit for the full amount of such tax bills, including principal
33 amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other
34 taxing authorities.

35 3. [The land trustees shall pay any penalties, attorney's fees or costs included in the judgment of
36 foreclosure of such parcel of real estate, when such parcel is sold or otherwise disposed of by the land
37 trustees, as herein provided. Upon confirmation by the court of such bid at such sale by such land trustees,
38 the collector shall mark the tax bills so bid by the land trustees as "canceled by sale to the land trust" and
39 shall take credit for the full amount of such tax bills, including principal amount, interest, penalties,

attorney's fees, and costs, on his books and in his statements with any other taxing authorities.] With respect to any parcel of real estate located wholly within a municipality that is an appointing authority under section 141.981, in the event no bid equal to the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon shall be received at such sale after such parcel of real estate has been offered for sale on three different days, which need not be successive, the land bank agency for which said municipality is an appointing authority shall be deemed to have bid the full amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due, and the sheriff shall so announce at the sale, then the bid of the land bank agency shall be announced as accepted. The sheriff shall report any such bid or bids so made by such land bank agency in the same way as his report of other bids is made. Upon confirmation by the court of such bid at such sale by such land bank agency, the collector shall mark the tax bills so bid by such land bank agency as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.

141.570. 1. The title to any real estate which shall vest in the land trust under the provisions of sections 141.210 to 141.810 and sections 141.980 to 141.1015 shall be held by the land trust of such county in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure. The title to any real estate acquired by a land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure.

2. The title to any real estate which shall vest in any purchaser, upon confirmation of such sale by the court, shall be an absolute estate in fee simple, subject to rights-of-way thereon of public utilities on which tax has been otherwise paid, and subject to any lien thereon of the United States of America, if any, and all persons, including the state of Missouri, infants, incapacitated and disabled persons as defined in chapter 475, and nonresidents who may have had any right, title, interest, claim, or equity of redemption in or to, or lien upon, such lands, shall be barred and forever foreclosed of all such right, title, interest, claim, lien or equity of redemption, and the court shall order immediate possession of such real estate be given to such purchaser; provided, however, that such title shall also be subject to the liens of any tax bills which may have attached to such parcel of real estate prior to the time of the filing of the petition affecting such parcel of real estate not then delinquent, or which may have attached after the filing of the petition and prior to sheriff's sale and not included in any answer to such petition, but if such parcel of real estate is deemed sold to the land trust pursuant to subsection 2 of section 141.560, or deemed sold to a land bank agency pursuant to subsection 3 of section 141.560, or sold to a land bank agency pursuant to subdivision (2) of subsection 2 of section 141.550, the title thereto shall be free of any such liens to the extent of the interest of any taxing authority in such real estate; provided further, that such title shall not be subject to the lien of special tax bills which have attached to the parcel of real estate prior to November 22, 1943, but the lien of such special tax bills shall attach to the proceeds of the sheriff's sale or to the proceeds of the

1 ultimate sale of such parcel by the land trust or land bank agency.

2 141.580. 1. After the sheriff sells any parcel of real estate, the court shall, upon its own motion or
3 upon motion of any interested party, set the cause down for hearing to confirm the foreclosure sale thereof,
4 even though such parcels are not all of the parcels of real estate described in the notice of sheriff's
5 foreclosure sale. At the time of such hearing, the sheriff shall make report of the sale, and the court shall
6 hear evidence of the value of the property offered on behalf of any interested party to the suit, and shall
7 forthwith determine whether an adequate consideration has been paid for each such parcel.

8 2. For this purpose the court shall have power to summon any city or county official or any private
9 person to testify as to the reasonable value of the property, and if the court finds that adequate
10 consideration has been paid, [he] the court shall confirm the sale and order the sheriff to issue a deed to the
11 purchaser. If the court finds that the consideration paid is inadequate, the court shall confirm the sale if the
12 purchaser [may increase] increases his bid to such amount as the court [may deem] deems to be adequate[,
13 whereupon the court may confirm the sale. If, however,] and makes such additional payment, or if all tax
14 bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon are not paid in
15 full by one or more interested parties to the suit. If the court finds that the consideration is inadequate, but
16 the purchaser declines to increase his bid to such amount as the court deems adequate and make such
17 additional payment, then the sale shall be disapproved if all tax bills included in the judgment, interest,
18 penalties, attorney's fees and costs then due thereon are paid in full by one or more interested parties to the
19 suit, the lien of the judgment continued, and such parcel of real estate shall be again advertised and offered
20 for sale by the sheriff to the highest bidder at public auction for cash at any subsequent sheriff's foreclosure
21 sale. Unless the court requires evidence of the value of the property conveyed to land trust or a land bank
22 agency, none shall be required, and the amount bid by the land trustees or such land bank agency shall be
23 deemed adequate consideration.

24 3. Except as otherwise provided in subsection 6 of section 141.984, if the sale is confirmed, the
25 court shall order the proceeds of the sale applied in the following order:

26 (1) To the payment of the costs of the publication of the notice of foreclosure and of the sheriff's
27 foreclosure sale;

28 (2) To the payment of all costs including appraiser's fee [not to exceed fifteen dollars] and
29 attorney's fees;

30 (3) To the payment of all tax bills adjudged to be due in the order of their priority, including
31 principal, interest and penalties thereon.

32
33 If, after such payment, there is any sum remaining of the proceeds of the sheriff's foreclosure sale, the court
34 shall thereupon try and determine the other issues in the suit in accordance with section 141.480. If any
35 answering parties have specially appealed as provided in section 141.570, the court shall retain the custody
36 of such funds pending disposition of such appeal, and upon disposition of such appeal shall make such
37 distribution. If there are not sufficient proceeds of the sale to pay all claims in any class described, the
38 court shall order the same to be paid pro rata in accordance with the priorities.

39 4. If there are any funds remaining of the proceeds after the sheriff's sale and after the distribution

1 of such funds as herein set out and no person entitled to any such funds, whether or not a party to the suit,
2 shall, within two years after such sale, appear and claim the funds, they shall [escheat to the state as
3 provided by law] be distributed to the appropriate taxing authorities.

4 141.720. 1. The land trust shall be composed of three members, one of whom shall be appointed
5 by the county, as directed by the county executive, or if the county does not have a county executive, as
6 directed by the county commission of the county, one of whom shall be appointed by [the city council of
7 that city] the municipality in the county which is not an appointing authority under section 141.981 and
8 then has the largest population according to the last preceding federal decennial census, and one of whom
9 shall be appointed by [the board of directors of] the school district in the county which is not an appointing
10 authority under section 141.981 and then has the largest population according to such census in the county.
11 If any appointing authority under this section fails to make any appointment of a land trustee after any term
12 expires, then the appointment shall be made by the county.

13 2. The terms of office of the land trustees shall be for four years each, except the terms of the first
14 land trustees who shall be appointed by the foregoing appointing authorities, respectively, not sooner than
15 twelve months and not later than eighteen months after sections 141.210 to 141.810 take effect; provided,
16 however, that the term of any land trustee appointed by a municipality or school district that becomes an
17 appointing authority of a land bank agency under section 141.981 shall terminate and such municipality
18 and such school district shall cease to be appointing authorities for such land trust under this section upon
19 the completion of all transfers to the land bank agency from the land trust required under subsection 1 of
20 section 141.984 or one year after the effective date of the ordinance or resolution establishing the land bank
21 agency, whichever is the first to occur.

22 3. Each land trustee shall have been a resident of the county for at least five years next prior to
23 appointment, shall not hold other salaried or compensated public office by election or appointment during
24 service as land trustee, the duties of which would in any way conflict with his duties as land trustee, and
25 shall have had at least ten years experience in the management or sale of real estate.

26 4. Of the first land trustees appointed under sections 141.210 to 141.810, the land trustee
27 appointed by the county commission shall serve for a term ending February 1, 1946, the land trustee
28 appointed by the board of directors of the school district then having the largest population in the county
29 shall serve for a term expiring February 1, 1947, and the land trustee appointed by the city council of the
30 city then having the largest population in the county shall serve for a term expiring February 1, 1948. Each
31 land trustee shall serve until his successor has been appointed and qualified.

32 5. Any vacancy in the office of land trustee shall be filled for the unexpired term by the same
33 appointing authority which made the original appointment. If any appointing authority fails to make any
34 appointment of a land trustee within the time the first appointments are required by sections 141.210 to
35 141.810 to be made, or within thirty days after any term expires or vacancy occurs, then the appointment
36 shall be made by the [mayor of that city in the] county [then having the largest population, according to the
37 last preceding federal decennial census].

38 6. The members shall receive for their services as land trustees a salary of two thousand four

1 hundred dollars per year.

2 7. Each land trustee may be removed for cause by the respective appointing authority, after public
3 hearing, if requested by the land trustee, and an opportunity to be represented by counsel and to present
4 evidence is afforded the trustee.

5 141.770. 1. Each annual budget of the land trust shall be itemized as to objects and purposes of
6 expenditure, prepared not later than [December tenth] October first of each year with copies delivered to
7 the [county and city that appointed trustee members] appointing authorities of such land trust under section
8 141.720, and shall include therein only such appropriations as shall be deemed necessary to meet the
9 reasonable expenses of the land trust during the forthcoming fiscal year. That budget shall not become the
10 required annual budget of the land trust unless and until it has been approved by the governing bodies of
11 the [county or city that appointed trustee members] appointing authorities of such land trust under section
12 141.720. If [either] any of the governing bodies of the [county and city that appointed trustee members]
13 appointing authorities of such land trust under section 141.720 fail to notify the land trust in writing of any
14 objections to the proposed annual budget on or before [December] November twentieth, then such failure
15 or failures to object shall be deemed approval. In the event objections have been made and a budget for the
16 fiscal year beginning January first has not been approved by the governing bodies of the [county and city]
17 appointing authorities of such land trust under section 141.720 on or before January first, then the budget
18 for the previous fiscal year shall become the approved budget for that fiscal year. Any unexpended funds
19 from the preceding fiscal year shall be deducted from the amounts needed to meet the budget requirements
20 of the forthcoming year.

21 2. Copies of the budget shall be made available to the public on or before [December] October
22 tenth, and a public hearing shall be had thereon prior to [December] October twentieth, in each year. The
23 approved and adopted budget may be amended by the trustee members only with the approval of the
24 governing bodies of the [county and city that appointed trustee members] appointing authorities of such
25 land trust under section 141.720.

26 3. If at any time there are not sufficient funds available to pay the salaries and other expenses of
27 such land trust and of its employees, incident to the administration of sections 141.210 to 141.810,
28 including any expenditures authorized by section 141.760, funds sufficient to pay such expenses shall be
29 advanced and paid to the land trust upon its requisition therefor, [fifty] seven percent thereof by the county
30 commission of [such] the county in which such land trust operates, and the other [fifty] ninety-three
31 percent by all of the [municipalities in such county as defined in section 141.220] taxing authorities in such
32 county that are not appointing authorities for a land bank agency under section 141.981 and all
33 municipalities and school districts in such county that are appointing authorities for a land bank agency
34 under section 141.981 and are appointing authorities for such land trust under section 141.720, in
35 proportion to [their] the product of their respective tax levy rates and the assessed valuations [at the time of
36 their last completed assessment for state and county purposes] of the properties then in the land trust
37 inventory located within their respective taxing jurisdictions. The land trust shall have power to requisition
38 such funds in an amount not to exceed twenty-five percent of the total annual budget of the land trust from

1 such sources for that fiscal year of the land trust for which there are not sufficient funds otherwise available
2 to pay the salaries and other expenses of the land trust, but any amount in excess of twenty-five percent of
3 the total annual budget in any fiscal year may be requisitioned by and paid to the land trust only if such
4 additional sums are agreed to and approved by the county [commission and the respective municipalities in
5 such county so desiring to make such payment] and such other taxing authorities. All moneys so
6 requisitioned shall be paid in a lump sum within thirty days after such requisition or the commencement of
7 the fiscal year of the land trust for which such requisition is made, whichever is later, by the county paying
8 seven percent thereof due from the county under this section and advancing the remaining ninety-three
9 percent due from other taxing authorities under this section on behalf of such other taxing authorities, and
10 such amounts so paid shall be deposited to the credit of the land trust in some bank or trust company,
11 subject to withdrawal by warrant as herein provided. Amounts advanced by the county on behalf of any
12 taxing authority under this section shall be reimbursed to the county upon demand by the county or by the
13 county withholding such amounts from distributions of tax moneys to such taxing authority.

14 4. The fiscal year of the land trust shall commence on January first of each year. Such land trust
15 shall audit all claims for the expenditure of money, and shall, acting by the chairman or vice chairman
16 thereof, draw warrants therefor from time to time.

17 5. No warrant for the payment of any claim shall be drawn by such land trust until such claim shall
18 have been approved by the land commissioner and shall bear the commissioner's certificate that there is a
19 sufficient unencumbered balance in the proper appropriation and sufficient unexpended cash available for
20 the payment thereof. For any certification contrary thereto, such land commissioner shall be liable
21 personally and on the commissioner's official bond for the amounts so certified, and shall thereupon be
22 promptly removed from office by the land trustees.

23 6. In addition to the annual audit provided for in section 141.760, the land trust may be
24 performance audited at any time by the state auditor or by the auditor of any home rule city with more than
25 four hundred thousand inhabitants and located in more than one county that is a member of the land trust.
26 The cost of such audit shall be paid by the land trust, and copies shall be made available to the public
27 within thirty days of the completion of the audit.

28 141.785. 1. The land trust shall be authorized to file an action to quiet title pursuant to section
29 527.150 as to any real property in which the land trust has an interest. For purposes of any and all such
30 actions the land trust shall be deemed to be the holder of sufficient legal and equitable interests, and
31 possessory rights, so as to qualify the land trust as adequate petitioner in such action.

32 2. Prior to the filing of an action to quiet title the land trust shall conduct an examination of title to
33 determine the identity of any and all persons and entities possessing a claim or interest in or to the real
34 property. Service of the petition to quiet title shall be provided to all such interested parties by the
35 following methods:

36 (1) Registered or certified mail to such identity and address as reasonably ascertainable by an
37 inspection of public records;

38 (2) In the case of occupied real property by first class mail, addressed to "Occupant";

39 (3) By posting a copy of the notice on the real property;

1 (4) By publication in a newspaper of general circulation in the municipality in which the property
2 is located; and

3 (5) Such other methods as the court may order.

4 3. As part of the petition to quiet title the land trust shall file an affidavit identifying all parties
5 potentially having an interest in the real property, and the form of notice provided.

6 4. The court shall schedule a hearing on the petition within ninety days following filing of the
7 petition, and as to all matters upon which an answer was not filed by an interested party, the court shall
8 issue its final judgment within one hundred twenty days of the filing of the petition.

9 5. The land trust shall be authorized to join in a single petition to quiet title to one or more parcels
10 of real property.

11 141.790. When any parcel of real estate is sold or otherwise disposed of by the land trust, the
12 proceeds therefrom shall be applied and distributed in the following order:

13 (1) To the payment of amounts due from the land trust under subsection 2 of section 141.560 on
14 the sale or other disposition of such parcel;

15 (2) To the payment of the expenses of sale;

16 [(2)] (3) The balance to be retained by the land trust to pay the salaries and other expenses of such
17 land trust and of its employees, incident to the administration of sections 141.210 to 141.810, including any
18 expenditures authorized by section 141.760, as provided for in its annual budget;

19 [(3)] (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the
20 land trust in any fiscal year, and including a reasonable sum to carry over into the next fiscal year to assure
21 that sufficient funds will be available to meet initial expenses for that next fiscal year, [may] shall be paid
22 to the respective taxing authorities which, at the time of the distribution, are taxing the real property from
23 which the proceeds are being distributed. The distributions shall be in proportion to the amounts of the
24 taxes levied on the properties by the taxing authorities; distribution shall be made on January first and July
25 first of each year, and at such other times as the land trustees in their discretion may determine.

26 141.980. 1. Any municipality located wholly or partially within a county in which a land trust
27 created under section 141.700 was operating on January 1, 2012, may establish a land bank agency for the
28 management, sale, transfer, and other disposition of interests in real estate owned by such land bank
29 agency. Any such land bank agency created shall be created to foster the public purpose of returning land,
30 including land that is in a nonrevenue-generating, nontax-producing status, to effective use in order to
31 provide housing, new industry, and jobs for citizens of the establishing municipality, and to create new
32 revenues for such municipality. Such land bank agency shall be established by ordinance or resolution as
33 applicable. Such land bank agency shall not own any interest in real estate that is located wholly or
34 partially outside such establishing municipality.

35 2. The beneficiaries of the land bank agency shall be the taxing authorities that held or owned tax
36 bills against the respective parcels of real estate acquired by such land bank agency pursuant to a deemed
37 sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section
38 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 included in the
39 judgment of the court, and their respective interests in each parcel of real estate shall be to the extent and in

1 the proportion and according to the priorities determined by the court on the basis that the principal amount
2 of their respective tax bills bore to the total principal amount of all of the tax bills described in the
3 judgment.

4 3. Each land bank agency created pursuant to this chapter shall be a public body corporate and
5 politic, and shall have permanent and perpetual duration until terminated and dissolved in accordance with
6 the provisions of section 141.1012.

7 141.981. 1. A land bank agency shall be composed of a board of commissioners which shall
8 consist of five members, one of whom shall be appointed by the county, as directed by the county
9 executive, or if the county does not have a county executive, as directed by the county commission of the
10 county, one of whom shall be appointed by the school district that is wholly or partially located within such
11 municipality and county and then has the largest population according to the last preceding federal
12 decennial census, and the remainder shall be appointed by the municipality that established the land bank
13 agency. The term of office of the members shall be for four years each. Members shall serve at the
14 pleasure of the member's appointing authority, may be employees of the appointing authority, and shall
15 serve without compensation. Any vacancy in the office of land bank commissioner shall be filled by the
16 same appointing authority that made the original appointment. Members of the first board of a land bank
17 agency shall be appointed within sixty days after the effective date of the ordinance or resolution passed
18 establishing such land bank agency. If any appointing authority fails to make any appointment of a land
19 bank commissioner within the time the first appointments are required, or within sixty days after any term
20 expires, then the appointment shall be made by the municipality that established the land bank agency.
21 Except as otherwise provided in subsection 2 of section 141.720, any municipality or school district that is
22 an appointing authority under this section shall not be an appointing authority under section 141.720.

23 2. Notwithstanding any law to the contrary, any public officer shall be eligible to serve as a board
24 member and the acceptance of the appointment shall neither terminate nor impair such public office. For
25 purposes of this section, "public officer" shall mean a person who is elected to a political subdivision
26 office. Any political subdivision employee shall be eligible to serve as a board member.

27 3. The members of the board shall select annually from among themselves a chair, a vice-chair, a
28 treasurer, and such other officers as the board may determine, and shall establish their duties as may be
29 regulated by rules adopted by the board.

30 4. The board shall have the power to organize and reorganize the executive, administrative,
31 clerical, and other departments of the land bank agency and to fix the duties, powers, and compensation of
32 all employees, agents, and consultants of the land bank agency. The board may cause the land bank agency
33 to reimburse any member for expenses actually incurred in the performance of duties on behalf of the land
34 bank agency.

35 5. The board shall meet in regular session according to a schedule adopted by the board, and shall
36 meet in special session as convened by the chairman or upon written notice signed by a majority of the
37 members. The presence of a majority of the board's total membership shall constitute a quorum to conduct
38 business.

39 6. All actions of the board shall be approved by the affirmative vote of a majority of the members

of the board present and voting; provided, however, that no action of the board shall be authorized on the following matters unless approved by a roll call vote of a majority of the entire board membership:

(1) Adoption of bylaws and other rules and regulations for conduct of the land bank agency's business;

(2) Hiring or firing of any employee or contractor of the land bank agency. This function may, by majority vote, be delegated by the board to a specified officer or committee of the land bank agency, under such terms and conditions, and to the extent, that the board may specify;

(3) The incurring of debt, including, without limitation, borrowing of money and the issuance of bonds, notes, or other obligations;

(4) Adoption or amendment of the annual budget;

(5) Sale of real property for a selling price that represents a consideration less than two-thirds of the appraised value of such property; and

(6) Lease, encumbrance, or alienation of real property, improvements, or personal property with a value of more than fifty thousand dollars.

7. The board members shall each furnish a surety bond, if such bond is not already covered by governmental surety bond, in a penal sum not to exceed twenty-five thousand dollars to be approved by the comptroller or director of finance of the municipality that established the land bank agency, issued by a surety company licensed to do business in this state, which bond shall be deposited with the county clerk of such county, and shall guarantee the faithful performance of such member's duties under sections 141.980 to 141.1015, and shall be written to cover all the commissioners.

8. Before entering upon the duties of office, each board member shall take and subscribe to the following oath:

State of Missouri, _____)

_____) ss

City of . . . _____)

I, . . . , do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Missouri; that I will faithfully and impartially discharge my duties as a member of the Land Bank of . . . , Missouri; that I will according to my best knowledge and judgment, administer such tax delinquent and other lands held by the land bank according to the laws of the State of Missouri and for the benefit of the public bodies and the tax bill owners which I represent, so help me God.

.....

Subscribed and sworn to this . . . day of . . . , 20 . .

My appointment expires:

.....

Notary Public

9. Members of the board shall not be liable personally on the bonds or other obligations of the land bank agency, and the rights of creditors of the land bank agency shall be solely against the assets of such land bank agency.

1 10. Vote by proxy shall not be permitted. Any member may request a recorded vote on any
2 resolution or action of the land bank agency.

3 141.982. A land bank agency may employ a secretary, an executive director, its own counsel and
4 legal staff, and such technical experts, and such other agents and employees, permanent or temporary, as it
5 may require, and may determine the qualifications and fix the compensation and benefits of such persons.
6 A land bank agency may also enter into contracts and agreements with political subdivisions for staffing
7 services to be provided to the land bank agency by political subdivisions or agencies or departments
8 thereof, or for a land bank agency to provide such staffing services to political subdivisions or agencies or
9 departments thereof.

10 141.983. Subject to the other provisions of this chapter and all other applicable laws, a land bank
11 agency established under this chapter shall have all powers necessary or appropriate to carry out and
12 effectuate the purposes and provisions of this chapter as they relate to a land bank agency, including the
13 following powers in addition to those herein otherwise granted:

14 (1) To adopt, amend, and repeal bylaws for the regulation of its affairs and the conduct of its
15 business;

16 (2) To sue and be sued, in its own name, and plead and be impleaded in all civil actions, including,
17 but not limited to, actions to clear title to property of the land bank agency;

18 (3) To adopt a seal and to alter the same at pleasure;

19 (4) To receive funds as grants from or to borrow from political subdivisions, the state, the federal
20 government, or any other public or private sources;

21 (5) To issue notes and other obligations according to the provisions of this chapter;

22 (6) To procure insurance or guarantees from political subdivisions, the state, the federal
23 government, or any other public or private sources, of the payment of any bond, note, loan, or other
24 obligation, or portion thereof, incurred by the land bank agency, and to pay any fees or premiums in
25 connection therewith;

26 (7) To enter into contracts and other instruments necessary, incidental, or convenient to the
27 performance of its duties and the exercise of its powers, including, but not limited to, agreements with
28 other land bank agencies and with political subdivisions for the joint exercise of powers under this chapter;

29 (8) To enter into contracts and other instruments necessary, incidental, or convenient to the
30 performance of functions by the land bank agency on behalf of political subdivisions, or agencies or
31 departments of political subdivisions, or the performance by political subdivisions, or agencies or
32 departments of political subdivisions, of functions on behalf of the land bank agency;

33 (9) To make and execute contracts and other instruments necessary or convenient to the exercise
34 of the powers of the land bank agency; and any contract or instrument when signed by the chair or vice-
35 chair of the land bank agency, or by an authorized use of their facsimile signatures, and by the secretary or
36 assistant secretary, or, treasurer or assistant treasurer of the land bank agency, or by an authorized use of
37 their facsimile signatures, shall be held to have been properly executed for and on its behalf;

38 (10) To procure insurance against losses in connection with the property, assets, or activities of the
39 land bank agency;

1 (11) To invest the money of the land bank agency, including amounts deposited in reserve or
2 sinking funds, at the discretion of the board, in instruments, obligations, securities, or property determined
3 proper by the board, and name and use depositories for its money;

4 (12) To enter into contracts for the management of, the collection of rent from, or the sale of the
5 property of the land bank agency;

6 (13) To design, develop, construct, demolish, reconstruct, rehabilitate, renovate, relocate, equip,
7 furnish, and otherwise improve real property or rights or interests in real property held by the land bank
8 agency;

9 (14) To fix, charge, and collect rents, fees, and charges for the use of the property of the land bank
10 agency and for services provided by the land bank agency;

11 (15) Subject to the limitation set forth in subsection 1 of section 141.980, to acquire property,
12 whether by purchase, exchange, gift, lease, or otherwise, to grant or acquire licenses and easements, and to
13 sell, lease, grant an option with respect to, or otherwise dispose of, any property of the land bank agency;

14 (16) Subject to the limitation set forth in subsection 1 of section 141.980, to enter into partnership,
15 joint ventures, and other collaborative relationships with political subdivisions and other public and private
16 entities for the ownership, management, development, and disposition of real property; and

17 (17) Subject to the other provisions of this chapter and all other applicable laws, to do all other
18 things necessary or convenient to achieve the objectives and purposes of the land bank agency or other
19 laws that relate to the purposes and responsibility of the land bank agency.

20 141.984. 1. Within one year of the effective date of the ordinance or resolution passed establishing
21 a land bank agency under this chapter, title to any real property held by a land trust created pursuant to
22 section 141.700 that is located wholly within the municipality that created the land bank agency shall be
23 transferred by deed to such land bank agency.

24 2. The income of a land bank agency shall be exempt from all taxation by the state and by any of
25 its political subdivisions. Upon acquiring title to any real estate, a land bank agency shall immediately
26 notify the county assessor and the collector of such ownership, and such real estate shall be exempt from
27 all taxation during the land bank agency's ownership thereof, in the same manner and to the same extent as
28 any other publicly owned real estate, and upon the sale or other disposition of any real estate held by it,
29 such land bank agency shall immediately notify the county assessor and the collector of such change of
30 ownership; provided however, that such tax exemption for improved and occupied real property held by
31 such land bank agency as lessor pursuant to a ground lease shall terminate upon the first such occupancy,
32 and such land bank agency shall immediately notify the county assessor and the collector of such
33 occupancy.

34 3. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may
35 acquire real property or interests in property by gift, devise, transfer, exchange, foreclosure, lease,
36 purchase, or otherwise on terms and conditions and in a manner the land bank agency considers proper.

37 4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may
38 acquire property by purchase contracts, lease purchase agreements, installment sales contracts, and land
39 contacts, and may accept transfers from political subdivisions upon such terms and conditions as agreed to

by the land bank agency and the political subdivision. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may bid on any parcel of real estate offered for sale at a sheriff's foreclosure sale held in accordance with section 141.550 provided that if the bid is not a deemed bid under subsection 3 of section 141.560, such parcel must be located within a low to moderate income area designated as a target area for revitalization by the municipality that created the land bank agency. Notwithstanding any other law to the contrary, but subject to the limitation set forth in subsection 1 of section 141.980, any political subdivision may transfer to the land bank agency real property and interests in real property of the political subdivision on such terms and conditions and according to such procedures as determined by the political subdivision.

5. A land bank agency shall maintain all of its real property in accordance with the laws and ordinances of the jurisdictions in which the real property is located.

6. Upon confirmation under section 141.580 of a sheriff's foreclosure sale of a parcel of real estate to a land bank agency under subdivision (2) of subsection 2 of section 141.550, said land bank agency shall pay the amount of the land bank agency's bid that exceeds the amount of all tax bills included in the judgment, interest, penalties, attorney's fees and costs then due thereon. Such excess shall be applied and distributed in accordance with subsections 3 and 4 of section 141.580, exclusive of subdivision (3) of subsection 3 thereof. Upon such confirmation by the court, the collector shall mark the tax bills included in the judgment as "canceled by sale to the land bank" and shall take credit for the full amount of such tax bills, including principal amount, interest, penalties, attorney's fees, and costs, on his books and in his statements with any other taxing authorities.

141.985. 1. A land bank agency shall hold in its own name all real property acquired by such land bank agency irrespective of the identity of the transferor of such property.

2. A land bank agency shall maintain and make available for public review and inspection an inventory of all real property held by the land bank agency.

3. The land bank agency shall determine and set forth in policies and procedures of the board the general terms and conditions for consideration to be received by the land bank agency for the transfer of real property and interests in real property, which consideration may take the form of monetary payments and secured financial obligations, covenants, and conditions related to the present and future use of the property, contractual commitments of the transferee, and such other forms of consideration as determined by the board to be in the best interest of the land bank agency.

4. Subject to the limitation set forth in subsection 1 of section 141.980, a land bank agency may convey, exchange, sell, transfer, lease, grant, release and demise, pledge and hypothecate any and all interests in, upon or to property of the land bank agency.

5. A municipality may, in its resolution or ordinance creating a land bank agency establish a hierarchical ranking of priorities for the use of real property conveyed by such land bank agency, subject to subsection 7 of this section, including but not limited to:

(1) Use for purely public spaces and places;

(2) Use for affordable housing;

(3) Use for retail, commercial and industrial activities; (4) Use as wildlife conservation

1 areas; and

2 (5) Such other uses and in such hierarchical order as determined by such municipality.

3 6. A municipality may, in its resolution or ordinance creating a land bank agency, require that any
4 particular form of disposition of real property, or any disposition of real property located within specified
5 geographical areas, be subject to specified voting and approval requirements of the board that are not
6 inconsistent with section 141.981 or section 141.983. Except and unless restricted or constrained in this
7 manner, the board may delegate to officers and employees the authority to enter into and execute
8 agreements, instruments of conveyance and all others related documents pertaining to the conveyance of
9 property by the land bank agency.

10 7. A land bank agency shall act expeditiously to return the real property acquired by it to the tax
11 rolls and shall market and sell such real property using an open, public method that ensures the best
12 possible price is realized while ensuring such real property is returned to a suitable, productive use for the
13 betterment of the neighborhoods in which such real property is located.

14 8. When any parcel of real estate acquired by a land bank agency pursuant to a deemed sale under
15 subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or
16 pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 is sold or otherwise disposed of
17 by such land bank agency, the proceeds therefrom shall be applied and distributed in the following order:

18 (1) To the payment of the expenses of sale;

19 (2) To fulfill the requirements of the resolution, indenture or other financing documents adopted or
20 entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that
21 such requirements may apply with respect to such parcel of real estate;

22 (3) The balance to be retained by the land bank agency to pay the salaries and other expenses of
23 such land bank agency and of its employees as provided for in its annual budget;

24 (4) Any funds in excess of those necessary to meet the expenses of the annual budget of the land
25 bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that
26 sufficient funds will be available to meet initial expenses for that next fiscal year, exclusive of net profit
27 from the sale of ancillary parcels, shall be paid to the respective taxing authorities that, at the time of the
28 distribution, are taxing the real property from which the proceeds are being distributed. The distributions
29 shall be in proportion to the amounts of the taxes levied on the properties by the taxing authorities.

30 Distribution shall be made on January first and July first of each year, and at such other times as the board
31 may determine.

32 9. When any ancillary parcel is sold or otherwise disposed of by such land bank agency, the
33 proceeds therefrom shall be applied and distributed in the following order:

34 (1) To the payment of all land taxes and related charges then due on such parcel;

35 (2) To the payment of the expenses of sale;

36 (3) To fulfill the requirements of the resolution, indenture or other financing documents adopted or
37 entered into in connection with bonds, notes or other obligations of the land bank agency, to the extent that
38 such requirements may apply with respect to such parcel of real estate;

39 (4) The balance to be retained by the land bank agency to pay the salaries and other expenses of

1 such land bank agency and of its employees as provided for in its annual budget;

2 (5) Any funds in excess of those necessary to meet the expenses of the annual budget of the land
3 bank agency in any fiscal year and a reasonable sum to carry over into the next fiscal year to assure that
4 sufficient funds will be available to meet initial expenses for that next fiscal year, may be paid in
5 accordance with subdivision (3) of subsection 8 of this section.

6 141.988. 1. A land bank agency may receive funding through grants and loans from political
7 subdivisions, from the state, from the federal government, and from other public and private sources.

8 2. Except as otherwise provided in subsections 8 and 9 of section 141.985, a land bank agency may
9 receive and retain payments for services rendered, for rents and leasehold payments received, for
10 consideration for disposition of real and personal property, for proceeds of insurance coverage for losses
11 incurred, for income from investments, and for any other asset and activity lawfully permitted to a land
12 bank agency under this chapter.

13 3. If a land bank agency sells or otherwise disposes of a parcel of real estate held by it, any land
14 taxes assessed against such parcel for the three tax years following such sale or disposition by such land
15 bank agency that are collected by the collector in a calendar year and not refunded, less the fees provided
16 under section 52.260 and subsection 4 of this section and less the amounts to be deducted under section
17 137.720, shall be distributed by the collector to such land bank agency no later than March 1 of the
18 following calendar year; provided that land taxes impounded under section 139.031 or otherwise paid
19 under protest shall not be subject to distribution under this subsection. Any amount required to be
20 distributed to a land bank agency under this subsection shall be subject to offset for amounts previously
21 distributed to such land bank agency that were assessed, collected or distributed in error.

22 4. In addition to any other provisions of law related to collection fees, the collector shall collect on
23 behalf of the county a fee of four percent of reserve period taxes collected and such fees collected shall be
24 deposited in the county general fund.

25 141.991. There shall be an annual audit of the affairs, accounts, expenses, and financial
26 transactions of a land bank agency by certified public accountants as of April thirtieth of each year, which
27 accountants shall be employed by the commissioners on or before March first of each year, and certified
28 copies thereof shall be furnished to the appointing authorities described in section 141.981, and shall be
29 available for public inspection at the office of the land bank agency. In addition to the annual audit
30 provided for in this subdivision, the land bank agency may be performance audited at any time by the state
31 auditor or by the auditor of the municipality that established the land bank agency. The cost of such audit
32 shall be paid by the land bank agency, and copies shall be made available to the public within thirty days of
33 the completion of the audit.

34 141.994. 1. A land bank agency shall have power to issue bonds, with approval of the
35 municipality that created the land bank agency, for any of its corporate purposes, which bonds shall be
36 special, limited obligations of the land bank agency, the principal of and interest on which shall be payable
37 solely from the income and revenue derived from the sale, lease, or other disposition of the assets of the
38 land bank agency, or such portion thereof as may be designated in the resolution, indenture or other
39 financing documents relating to the issuance of the bonds. In the discretion of the land bank agency, any of

1 such bonds may be secured by a pledge of additional revenues, including grants, contributions or
2 guarantees from the state, the federal government, or any agency or instrumentality thereof, or by a
3 mortgage or other security device covering all or part of the property from which the revenues so pledged
4 may be derived.

5 2. Bonds issued by a land bank agency shall not be deemed to be an indebtedness within the
6 meaning of any constitutional or statutory limitation upon the incurring of indebtedness. The bonds shall
7 not constitute a debt, liability or obligation of the state or of any political subdivision thereof, except in
8 accordance with subsection 4 of this section, or a pledge of the full faith and credit or the taxing power of
9 the state or of any such political subdivision, and the bonds shall contain a recital to that effect. Neither the
10 members of the board nor any person executing the bonds shall be liable personally on the bonds by reason
11 of the issuance thereof.

12 3. Bonds issued by a land bank agency shall be authorized by resolution of the board and shall be
13 issued in such form, shall be in such denominations, shall bear interest at such rate or rates, shall mature on
14 such dates and in such manner, shall be subject to redemption at such times and on such terms, and shall be
15 executed by one or more members of the board, as provided in the resolution authorizing the issuance
16 thereof or as set out in the indenture or other financing document authorized and approved by such
17 resolution. The board may sell such bonds in such manner, either at public or at private sale, and for such
18 price as it may determine to be in the best interests of the land bank agency.

19 4. Any political subdivision may elect to guarantee, insure, or otherwise become primarily or
20 secondarily obligated with respect to the bonds issued by a land bank agency subject, however, to the
21 provisions of Missouri law applicable to the incurrence of indebtedness by such political subdivision. No
22 political subdivision shall have any such obligation if it does not so elect.

23 5. A land bank agency may from time to time, as authorized by resolution of the board, issue
24 refunding bonds for the purpose of refunding, extending and unifying all or any part of its valid outstanding
25 bonds. Such refunding bonds may be payable from any of the sources identified in subsections 1 and 4 of
26 this section, and from the investment of any of the proceeds of the refunding bonds.

27 6. The bonds issued by a land bank agency shall be negotiable instruments pursuant to the
28 provisions of the uniform commercial code of the state of Missouri.

29 7. Bonds issued pursuant to this section and all income or interest thereon shall be exempt from all
30 state taxes, except estate and transfer taxes.

31 8. A land bank agency shall have the power to issue temporary notes upon the same terms and
32 subject to all provisions and restrictions applicable to bonds under this section. Such notes issued by a land
33 bank agency may be refunded by notes or bonds authorized under this section.

34 141.997. Except as otherwise provided under Missouri law, all board meetings shall be open to the
35 public and the board shall cause minutes and a record to be kept of all its proceedings. The land bank
36 agency shall be subject to the provisions of chapter 610, chapter 109, and any other applicable provisions
37 of law governing public records and public meetings.

38 141.1000. Neither the members of the board nor any salaried employee of a land bank agency shall
39 receive any compensation, emolument, or other profit directly or indirectly from the rental, management,

1 acquisition, sale, demolition, repair, rehabilitation, use, operation, ownership or disposition of any lands
2 held by such land bank agency other than the salaries, expenses, and emoluments provided for in sections
3 141.980 to 141.1015. Neither the members of the board nor any salaried employee of a land bank agency
4 shall own, directly or indirectly, any legal or equitable interest in or to any lands held by such land bank
5 agency other than the salaries, expenses, and emoluments provided for in sections 141.980 to 141.1015. A
6 violation of this section is a felony. Any person found guilty of violating this section shall be sentenced to
7 a term of imprisonment of not less than two nor more than five years. The board of a land bank agency
8 may adopt supplemental rules and regulations addressing potential conflicts of interest and ethical
9 guidelines for members of the board and land bank agency employees, provided that such rules and
10 regulations are not inconsistent with this chapter or any other applicable law.

11 141.1003. Except as otherwise expressly set forth in this chapter, in the exercise of its powers and
12 duties under this chapter and its powers relating to property held by the land bank agency, the land bank
13 agency shall have complete control of such property as fully and completely as if it were a private property
14 owner.

15 141.1006. 1. Whenever any ancillary parcel is acquired by a land bank agency and is encumbered
16 by a lien or claim for real property taxes owed to a taxing authority, such taxing authority may elect to
17 contribute to the land bank agency all or any portion of such taxes that are distributed to and received by
18 such taxing authority.

19 2. To the extent that a land bank agency receives payments or credits of any kind attributable to
20 liens or claims for real property taxes owed to a taxing authority, the land bank agency shall remit the full
21 amount of the payments to the collector for distribution to the appropriate taxing authority.

22 141.1009. 1. A land bank agency shall be authorized to file an action to quiet title pursuant to
23 section 527.150 as to any real property in which the land bank agency has an interest. For purposes of any
24 and all such actions the land bank agency shall be deemed to be the holder of sufficient legal and equitable
25 interests, and possessory rights, so as to qualify the land bank agency as adequate petitioner in such action.

26 2. Prior to the filing of an action to quiet title the land bank agency shall conduct an examination
27 of title to determine the identity of any and all persons and entities possessing a claim or interest in or to
28 the real property. Service of the petition to quiet title shall be provided to all such interested parties by the
29 following methods:

30 (1) Registered or certified mail to such identity and address as reasonably ascertainable by an
31 inspection of public records;

32 (2) In the case of occupied real property by first class mail, addressed to "Occupant";

33 (3) By posting a copy of the notice on the real property;

34 (4) By publication in a newspaper of general circulation in the municipality in which the property
35 is located; and

36 (5) Such other methods as the court may order.

37 3. As part of the petition to quiet title the land bank agency shall file an affidavit identifying all
38 parties potentially having an interest in the real property, and the form of notice provided.

39 4. The court shall schedule a hearing on the petition within ninety days following filing of the

petition, and as to all matters upon which an answer was not filed by an interested party the court shall issue its final judgment within one hundred twenty days of the filing of the petition.

5. A land bank agency shall be authorized to join in a single petition to quiet title to one or more parcels of real property.

141.1012. A land bank agency may be dissolved as a public body corporate and politic not less than sixty calendar days after an ordinance or resolution for such dissolution is passed by the municipality that established the land bank agency. Not less than sixty calendar days advance written notice of consideration of such an ordinance or resolution of dissolution shall be given to the members of the board of the land bank agency, shall be published in a local newspaper of general circulation within such municipality, and shall be sent certified mail to each trustee of any outstanding bonds of the land bank agency. No land bank agency shall be dissolved while there remains outstanding any bonds, notes, or other obligations of the land bank agency unless such bonds, notes, or other obligations are paid or defeased pursuant to the resolution, indenture or other financing document under which such bonds, notes, or other obligations were issued prior to or simultaneously with such dissolution. Upon dissolution of a land bank agency pursuant to this section, all real property, personal property, and other assets of the land bank agency shall be transferred by appropriate written instrument to and shall become the assets of the municipality that established the land bank agency. Such municipality shall act expeditiously to return such real property to the tax rolls and shall market and sell such real property using an open, public method that ensures the best possible prices are realized while ensuring such real property is returned to a suitable, productive use for the betterment of the neighborhoods in which such real property is located. Any such real property that was acquired by the dissolved land bank agency pursuant to a deemed sale under subsection 3 of section 141.560, by deed from a land trust under subsection 1 of section 141.984, or pursuant to a sale under subdivision (2) of subsection 2 of section 141.550 shall be held by such municipality in trust for the tax bill owners and taxing authorities having an interest in any tax liens which were foreclosed, as their interests may appear in the judgment of foreclosure, and upon the sale or other disposition of any such property by such municipality, the proceeds therefrom shall be applied and distributed in the following order:

(1) To the payment of the expenses of sale;

(2) To the reasonable costs incurred by such municipality in maintaining and marketing such property; and

(3) The balance shall be paid to the respective taxing authorities that, at the time of the distribution, are taxing the real property from which the proceeds are being distributed.

141.1015. A land bank agency shall neither possess nor exercise the power of eminent domain. A land bank agency shall not have the power to tax.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.